IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 3834 of 2006(D)

CRL.A. NO. 1203/2003 of ADDL. SESSIONS COURT, N. PARAVUR
C.C. NO. 1433/2000 of JUDICIAL FIRST CLASS MAGISTRATE-I, ALUVA

REVN. PETITIONER: PETITIONER:

M.D. JOY ALIAS ANTONY,
AGED 46 YEARS, KALARICKAL HOUSE,
ATHANI KARA, KUSAMAGIRI P.O.,
KOCHI-30.

BY ADV. SRI.SUBHASH CYRIAC

RESPONDENTS:

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1. M.R. CHRISTOPHER, S/O.RAYMOND,
MOOTHEDATH HOUSE, THENGODE P.O.,
KOCHI-21.

2. KERALA STATE REPRESENTED BY
THE PUBLIC PROSECUTOR.

BY ADV. SRI. C.M. NAZAR, PUBLIC PROSECUTOR
SRI. V. PREMCHAND for R1.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 01/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL. M.A. NO. 10924/2006 INCRL. R.P. NO. 3834/2006

DISMISSED

01.12.2007 SD/- V. RAMKUMAR, JUDGE.

/True Copy/

P.A to Judge.

V. RAMKUMAR, J.

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Crl.R.P. No. 3834 of 2006 D

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Dated this the 1st day of December, 2007

ORDER

The accused in C.C.No.1433 of 2000 on the file of the Judicial First Class Magistrate-I, Aluva for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12709 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE

rv

V. RAMKUMAR, J.

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Crl.R.P. No.

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Dated this the day of October, 2007

ORDER

The accused in C.C. / ST. No.....on th**e file** of the J.F.C.M, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR, JUDGE

rv